

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MATTHEW DZURYACHKO,

Plaintiff,

v.

TEVA PHARMACEUTICALS USA, INC.,

Defendant.

CIVIL ACTION NO. 20-5217

ORDER

AND NOW, this 21st day of March 2022, upon consideration of Defendant's Motion for Summary Judgment [Doc. No. 20] and the related briefing, and for the reasons stated in the Memorandum Opinion, it is hereby **ORDERED** that the Motion is **GRANTED in part** and **DENIED in part**. Summary judgment is **GRANTED** as to Plaintiff's USERRA and PMAA claims and **DENIED** as to all other claims.

It is further **ORDERED** that Plaintiff's Motion to Strike Defendant's Expert Report and Witness [Doc. No. 17] and Defendant's Motion to Strike Plaintiff's Expert Report and Witness [Doc. No. 21] are **DISMISSED without prejudice** with leave to refile at such time that the case is scheduled for trial. The parties, through counsel, shall submit a joint report in writing on or before **April 8, 2022** as to whether they wish to resume settlement discussions before Judge Wells or pursue another form of alternative dispute resolution. The joint report should be submitted by email to Chambers_of_Judge_Cynthia_M_Rufe@paed.uscourts.gov and not filed of record.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.